

## UNITED STATES DISTRICT COURT

for the

New District of Jersey

United States of America

v.  
Durrell FosterCase No: 06-31

USM No: \_\_\_\_\_

Date of Previous Judgment: \_\_\_\_\_  
(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Lisa Mock, ACPD**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 70 months is reduced to 60 months

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: 23  
Criminal History Category: IV  
Previous Guideline Range: 70 to 87 months

Amended Offense Level: 21  
Criminal History Category: IV  
Amended Guideline Range: 60 to 71 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 10/1/07 shall remain in effect.

**IT IS SO ORDERED.**Order Date: 21 July 2008

Effective Date: \_\_\_\_\_

(if different from order date)

Judge's Signature

Printed name and title

William H. Walk